

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAVELIN GLOBAL COMMODITIES (UK),	:	
LTD and BLUEGRASS COMMODITIES LP,	:	<u>ORDER REGULATING</u>
	:	<u>PROCEEDINGS</u>
Plaintiffs,	:	
-against-	:	21 Civ. 787 (AKH)
	:	
LEXINGTON COAL COMPANY, LLC,	:	
	:	
Defendant.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The parties, by joint letter of September 13, 2021 submitted pursuant to Rule 2E of my Individual Rules, ask me to rule on a discovery dispute. On August 16, 2021, Lexington Coal Company, LLC (“Lexington”) gave notice it was serving eight third-party subpoenas (the “Subpoenas”) on coal producers doing business with Plaintiffs. Plaintiffs request that I quash the subpoenas, or alternatively, enter a protective order. I rule as follows:

1. Plaintiffs’ request to quash the Subpoenas is denied.
2. The scope of the Subpoenas shall be limited documents and communications concerning sales of thermal coal and any metallurgical coal during the time period January 1, 2019 through January 28, 2021.
3. As of today, I approved the parties’ jointly proposed protective order. Accordingly, Plaintiffs’ request for entry of a separate protective order is denied as moot.

SO ORDERED.

Dated: October 28, 2021
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge